

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

KIM BROOKS,

Plaintiff,

v.

**RISK MANAGEMENT
ALTERNATIVES, INC.,**

Defendant.

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CASE NO. 8:05CV130

ORDER

The Plaintiff, Kim Brooks, seeks to dismiss the Complaint because the Defendant, Risk Management Alternatives, Inc., is in Chapter 7 liquidating bankruptcy. (Filing No. 23, Suggestion of Bankruptcy). The Plaintiff has filed a claim in the Bankruptcy case and is seeking recovery from the Defendant in that forum. (Filing No. 40, March 11, 2008, Status Report). The motion is unopposed. For the reasons set forth in the motion, and pursuant to Fed. R. Civ. P. 41(a)(2):

IT IS ORDERED:

1. The Plaintiff's Unopposed Motion to Dismiss without Prejudice (Filing No. 42) is granted;
2. The Plaintiff's Unopposed Motion for Extension of Time to File Dismissal and Request for Status Call (Filing No. 41) is denied as moot; and
3. The Complaint is dismissed without prejudice.

DATED this 15th day of April, 2008.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge